

Exhibit A

From: [Johnson, Emily \(USANYS\)](#) [REDACTED]
To: [Marc Agnifilo](#)
Cc: [Teny Geragos](#); [tonyricco](#) [REDACTED]; [Anna Estevao](#); [Steiner, Mitzi \(USANYS\)](#); [Smyser, Madison \(USANYS\)](#); [Foster, Meredith \(USANYS\)](#); [Slavik, Christy \(USANYS\)](#)
Subject: RE: Combs - Intercontinental Video
Date: Wednesday, October 9, 2024 12:45:57 PM

Hi Marc,

To be clear, to our understanding, DHS did not have possession of the videotape prior to CNN's publication of it. Only the Government has authority to obtain grand jury material, and the video broadcast by CNN was not obtained through grand jury process.

Emily A. Johnson | Assistant United States Attorney

United States Attorney's Office | Southern District of New York
[26 Federal Plaza | New York, NY 10278](#)

[REDACTED]

From: Marc Agnifilo [REDACTED]
Sent: Wednesday, October 9, 2024 12:07 PM
To: Johnson, Emily (USANYS) [REDACTED]
Cc: Teny Geragos [REDACTED]; [tonyricco](#) [REDACTED]; Anna Estevao [REDACTED]; [Steiner, Mitzi \(USANYS\)](#) [REDACTED]; [Smyser, Madison \(USANYS\)](#) [REDACTED]; [Foster, Meredith \(USANYS\)](#) [REDACTED]; [Slavik, Christy \(USANYS\)](#) [REDACTED]
Subject: [EXTERNAL] Re: Combs - Intercontinental Video

Hi Emily - Thank you for reaching out and for the call last night. We contacted you yesterday to tell you what our direction was, invited comment from you, and we hear and appreciate what you are saying. Ultimately, I don't believe you can possibly know what DHS agents did and did not do in regard to this videotape. We are making it very clear that we believe the US Attorney's Office was not involved in the leak. However, I don't feel the same way about the DHS.

Again, like I said, we reached out as a gesture of good faith, and because we genuinely want to know your perspective. That being said, while you can speak from a position of knowledge in regard to your office, I don't believe you can do so in regard to the agency. This is not an issue of believing you guys or anything remotely like that. It is a matter of not knowing and controlling all aspects of the situation.

If I am missing something, please let me know.

On Oct 9, 2024, at 11:54 AM, Johnson, Emily (USANYS) [REDACTED]

wrote:

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Counsel,

In the joint letter filed with the Court today, you stated that “at some point today, Mr. Combs intends to file a motion for a hearing and other remedies related to unauthorized and prejudicial leaks of grand jury information.”

To the extent that your motion relates to any leak of information associated with the March 5, 2016 surveillance video at the Intercontinental Hotel in Los Angeles, we write to follow up on our conversation last night. As previously discussed, the Government did not possess the video published by CNN prior to its public release, and the Government possessed no surveillance video at all from the Intercontinental prior to CNN’s public broadcast. Accordingly, we wish to advise you that we consider any assertion in your motion of a purported Government leak related to the Intercontinental surveillance video to lack a good faith basis.

Emily A. Johnson | Assistant United States Attorney

United States Attorney's Office | Southern District of New York

26 Federal Plaza | New York, NY 10278

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